Superior Court of California

County of Merced

Probate Department

Probate Notes

Probate Notes for future calendars are available from the time they are created until the morning of the scheduled hearing. The Probate Examiner's Notes typically will be posted 5 days prior to the hearing. If you are filing documents to cure a technical defect, documents should be filed a minimum of 2 court days prior to the hearing. Documents filed late will not be reviewed except on the date of the hearing at the Judge's discretion and could result in a continuance of your case.

Parties intending to appear in Court regarding their hearing must notify all other parties and call (209) 725-4111 to notify the Court of such intent by 4:00 pm on the day before the hearing.

Contacting the Probate Examiner:
Probate Examiner's email address is: probate.examiner@mercedcourt.org

Emails must have the case identification information and hearing date/time in the subject line. **No attachments will be opened**. The Probate Examiner can only respond to inquiries regarding the meaning of comments in the Notes. *Please do not email to request a confirmation whether documents have been received or to request the clearing of notes.* No legal or procedural advice may be given by the Examiner in response to your email.

Questions regarding fees, forms, status of orders, Zoom links or remote appearances should be directed to the Probate Unit of the Clerk's Office at (209) 725-4111 between the hours of 8:00 a.m. – 12:00 pm. and 1:00 p.m. – 3:00 p.m., Monday – Friday.

The following cases are not reflected in the Probate Notes and appearances are required unless previously excused by the Court:

- Guardianships and Conservatorships of the Person
- Minor's Compromise cases before the Probate Court for approval
- Petition for Special Immigrant Juvenile Findings

**Questions involving Guardianships (including SIJF) and Conservatorships of the Person should be directed to the Court Investigators Office at (209) 725-4190.*

Please note no legal or procedural advice can be provided by the Court Investigator's Office.

Superior Court of California, County of Merced
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: Mark Bacciarini

DATE: Friday, July 24, 2026
TIME: 8:15 AM and 8:30 AM
Courtroom 10

PROBATE CALENDAR

The following tentative rulings shall become the ruling of the court unless a party gives notice of intention to appear as follows:

1. You must call (209) 725-4240 to notify the court of your intent to appear.

2. You must give notice to all other parties before 4:00 p.m. of your intent to object.

Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. **Parties who contest the tentative ruling or wish to appear remotely at a hearing must contact the clerk of the Court at (209) 725-4111 to provide their contact information for the remote hearing.**

8:15 AM CALENDAR

CASE#: 26PR-00048

CASE NAME: Estate of Robert Earl Brandon Johnson, Sr.

THIS CASE IS SET FOR HEARING ON:
Continued from April 24, 2026 re: Second Amended Petition for Letters of Administration with Full IAEA Authority

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS WERE PREVIOUSLY NOTED:

1. Second Amended Petition filed on 3/5/26:
    a. Item #3 is incomplete and is missing information
    b. Item #8 is missing the name of the decedent’s child.
2. No Notice to all heirs. Prob Code §8100, §8110
3. Bond has not been waived by all beneficiaries. Prob Code §8481
4. No Proof of Publication with the corresponding signed affidavit.
5. Prob Code §8121, §8124
6. Duties & Liabilities Acknowledgment signed by the personal representative has not been filed. Prob Code §8404(a)
7. Inventory and Appraisal filed on 2/3/26 is incomplete.
8. Court’s discretion if a Guardian Ad Litem will be required to represent the minor’s interest. Prob Code §1003

TENTATIVE RULING:
Appearance required.

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CASE#: 26PR-00230

CASE NAME: Estate of Thomas Souza

THIS CASE IS SET FOR HEARING ON:
Petition for Letters of Administration with Full IAEA Authority

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:
None.

TENTATIVE RULING:
No appearance required. Upon the agreement of the parties in the related Case # 26PR-00209, the hearing was continued to September 2, 2026, at 8:15 a.m. in Courtroom 10. The Petition in this matter is hereby continued to September 2, 2026 at 8:15 a.m. in Courtroom 10 to heard at the same time as the related case.

8:30 AM CALENDAR

CASE#: 16PR-00346

CASE NAME: In the Matter of the Isabel E. Moreno Minor's Trust

THIS CASE IS SET FOR HEARING ON:
First Account and Report of Trustee, Petition for Allowance of Fees to Trustee of the Special Needs Trust and to Attorney

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The accounting reflects a transfer of funds from the Public Administrator to the Public Conservator's Office in April 2025; however, it is deficient in that it does not account for annuity payments received or mortgage payments made from May/June 2025 through the end of the accounting period. Will the Public Conservator's Office be submitting a separate accounting to address and include these transactions?
2. Notice has not been provided to the GAL and minor's father M. Moreno.
   Prob Code §17203
3. Notice should also be provided to former trustees V. Moreno and M. Moreno, as they remain subject to the Court's jurisdiction with respect to any potential surcharge. The accountings for the period of their tenure as trustees remain unresolved, and issues have been expressly reserved for further ruling by the court. Prob Code §§1202, 17203

TENTATIVE RULING:
Appearance required.

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CASE#: 16PR-00347

CASE NAME: In Re: The Anthony C. Moreno Minor's Trust

THIS CASE IS SET FOR HEARING ON:
Continued from January 23, 2026 re: Corrections to Amended Second Accounting and Status of Third Accounting

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The accounting reflects a transfer of funds from the Public Administrator to the Public Conservator's Office in April 2025; however, it is deficient in that it does not account for annuity payments received or mortgage payments made from May/June 2025 through the end of the accounting period. Will the Public Conservator's Office be submitting a separate accounting to address and include these transactions?
2. Trustee fees are ordinarily approved at ¾ to a maximum of 1(%) percent of the fair market value of the trust corpus per annum and may change depending on the figures reflected in the Third and Final Accounting to be submitted by the former trustee V. Moreno.
3. Notice has not been provided to the GAL and minor's father M. Moreno.
   Prob Code §17203
4. Notice should also be provided to former trustees V. Moreno and M. Moreno, as they remain subject to the Court's jurisdiction with respect to any potential surcharge. The accountings for the period of their tenure as trustees remain unresolved, and issues have been expressly reserved for further ruling by the court. Prob Code §§1202, 17203

TENTATIVE RULING:
Appearance required.

CASE#: 16PR-00387

CASE NAME: Estate of Robert Allen Jackson

THIS CASE IS SET FOR HEARING ON:
Continued June 5, 2026 re:

1. Further Proceedings
2. Order to Show Cause that Mark Olson, his attorney, and his Bonding Company, Liberty Mutual Insurance Company Appear
3. Accounting

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:
None.

TENTATIVE RULING:
Appearance required. The Public Administrator to give the Court a current case status.

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CASE#: 20PR-00296

CASE NAME: Estate of Albina D. Anderegg

THIS CASE IS SET FOR HEARING ON:
First and Final Statement of Public Administrator Regarding Summary Disposition of Estate

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. There is a discrepancy between the two filed inventories and appraisals. The former administrator's Inventory and Appraisal provided a "Final" value of the estate at $2,500 comprised of items that were "broken" and of no value, in contrast to the Public Administrator's Inventory and Appraisal valuing estate real property at $110,000.
    a. The former Administrator's Inventory and Appraisal filed on 7/31/25 appears to omit the appraisal of real property that was part of the estate and only included personal property described as broken or valueless.
2. The attached Bill of Sale reflecting the sale of the real property by former Administrator V. Passwater who sold the estate real property dated 12/2/20 at a private sale to D. Anderson raises concerns as the Court's record does not reflect that the former Administrator had proper authority, notice or court approval required for the sale of the real property to a paralegal who assisted in the preparation of the estate documents. <u>As Letters were not issued to the former Administrator until 3/9/21 there is a concern that the sale is void ab initio.</u>
    a. A copy of the most recent vesting deed to be provided.
    b. Did the former Administrator received any additional consideration from the paralegal beyond the $52,00 purchase price (i.e. fee reduction or other benefit) in connection with the sale?
3. The former Administrator's conduct raises concerns involving conflict of interest or self-dealing involving the sale of the real property, failure to timely file an accurate Inventory and Appraisal, a failure to account and potential improper distributions of estate funds.
4. As the former administrator did not file an accounting before removal, the estate was left unresolved and unaccounted for receipts and disbursements, and other acts involving the administration of estate funds.
    a. The prior distributions by the former Administrator V. Passwater require documentation. The filing identifies prior distributions to F. Telechea, K. Weatherman, and V. Passwaters, but the legal basis, supporting order, and accounting detail for those distributions are not shown.

TENTATIVE RULING:
Appearance required.

(End of Tentative Rulings)